

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:

Jason R. Mohr
Lydia Mohr

Case No.: 17-15155

Judge: Katherine C. Ferguson

Chapter: 13

Debtor(s)

Chapter 13 Plan and Motions

- | | | |
|---|--|--|
| <input type="checkbox"/> Original | <input checked="" type="checkbox"/> Modified/Notice Required | <input checked="" type="checkbox"/> Discharge Sought |
| <input type="checkbox"/> Motions Included | <input type="checkbox"/> Modified/No Notice Required | <input type="checkbox"/> No Discharge Sought |

Date: 07/06/2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 100.00 per month to the Chapter 13 Trustee, starting on 04/01/2017 for approximately 60 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
- ☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☒ Sale of real property

Description: 34 Avenue H, Monroe Township, NJ 08831

Proposed date for completion: 10/15/2017

☐ Refinance of real property:

Description:

Proposed date for completion:

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion:

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Law Office of Francis P. Cullari	Counsel Fee	\$2,700.00

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

Garden Savings F.c.u. (2012 Volkswagon) Garden Savings F.c.u. (2007 GMC Yukon)
Toyota Motor Credit (2014 Lexus GS350)

e. Secured Claims to be Paid in Full Through the Plan:

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☐ Not less than \$ _____ to be distributed *pro rata*

☐ Not less than _____ percent

☒ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Priority Claims
- 3) Secured Claims
- 4) Unsecured Claims

d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 3/13/17.

Explain below **why** the plan is being modified:

To remove Garden Savings F.c.u. and to include Toyota Motor Credit.

Explain below **how** the plan is being modified:

By removing one of the Garden State Savings F.c.u.(2011 Infinity) in part 4D and adding to part 4D Toyota Motor Credit (2014 Lexus GS350).

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes ☒ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: _____

/s/Francis P. Cullari

Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: _____

/s/Jason Mohr

Debtor

Date: _____

/s/Lydia Mohr

Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Jason R Mohr
 Lydia Mohr
 Debtors

Case No. 17-15155-KCF
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

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 Total Noticed: 34

Date Rcvd: Jul 07, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 09, 2017.

db/jdb
 cr +Jason R Mohr, Lydia Mohr, 34 Avenue H, Monroe Township, NJ 08831-2222
 +Cenlar FSB as servicing agent for Police and Firem, Stern, Lavinthal & Frankenberg, LLC,
 105 Eisenhower Parkway, Suite 302, Roseland, NJ 07068-1640
 516785367 American Express Centurion Bank, c/o Becket and Lee LLP, PO Box 3001,
 Malvern PA 19355-0701
 516705197 +Amex, Correspondence, Po Box 981540, El Paso, TX 79998-1540
 516705200 +CENLAR/Central Loan Admin & Reporting, 425 Philips Blvd, Ewing, NJ 08618-1430
 516705209 ++CONTINENTAL FINANCE COMPANY LLC, PO BOX 8099, NEWARK DE 19714-8099
 (address filed with court: Mabt/contfin, 121 Continental Dr Ste 1, Newark, DE 19713)
 516705199 +Capital One, Attn: General Correspondence/Bankruptcy, Po Box 30285,
 Salt Lake City, UT 84130-0285
 516705201 +Chase Card, Po Box 15298, Wilmington, DE 19850-5298
 516705202 +Citibank/The Home Depot, Citicorp Cr Svcs/Centralized Bankruptcy, Po Box 790040,
 S Louis, MO 63179-0040
 516705204 +First National Bank, Attn: FNN Legal Dept, 1620 Dodge St Mailstop Code 3290,
 Omaha, NE 68102-1593
 516729248 +First National Bank of Omaha, 1620 Dodge Street, Stop code 3105, Omaha, NE 68197-0002
 516705205 +Garden Savings F.c.u., 129 Littleton Rd, Parsippany, NJ 07054-1897
 516809394 +Garden Savings Federal Credit Union, c/o Peter J. Liska, LLC, 766 Shrewsbury Ave.,
 Tinton Falls, NJ 07724-3001
 516705208 ++LENDUP CARD SERVICES INC, 237 KEARNY STREET, STE 197, SAN FRANCISCO CA 94108-4502
 (address filed with court: Lendup Card Services I, 225 Bush St Ste 1100,
 San Francisco, CA 94104)
 516715791 Nissan, POB 660366, Dallas, TX 75266-0366
 516705210 +Officer Richard C. Genabith, PO Box 317, Berkeley Heights, NJ 07922-0317
 516705211 +Peter J. Liska LLC, 766 Shrewsbury Ave, Tinton Falls, NJ 07724-3001
 516705212 +Pluese, Becker & Saltzman, LLC, 20000 Horizon Way, Suite 900, Mount Laurel, NJ 08054-4318
 516774914 State Farm Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 516922650 +Toyota Motor Credit, PO Box 9013, Addison Tx 75001-9013
 516857852 +Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
 516705213 +Visa Dept Store National Bank/Macy's, Attn: Bankruptcy, Po Box 8053, Mason, OH 45040-8053
 516705214 +Wells Fargo Bank, Mac F82535-02F, Po Box 10438, Des Moines, IA 50306-0438
 516922270 Wells Fargo Bank, N.A., Wells Fargo Card Services, PO Box 10438, MAC F8235-02F,
 Des Moines, IA 50306-0438

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Jul 07 2017 23:30:19 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Jul 07 2017 23:30:18 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 516719084 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Jul 07 2017 23:21:30
 BMW Bank of North America, c/o Ascension Capital Group, P.O. Box 165028,
 Irving, TX 75016-5028
 516764336 E-mail/PDF: ais.bmw.ebn@americaninfosource.com Jul 07 2017 23:21:39
 BMW Financial Services NA, LLC, P.O. Box 3608, Dublin, OH 43016
 516718036 E-mail/Text: mrdiscen@discover.com Jul 07 2017 23:30:00 Discover Bank,
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
 516705203 +E-mail/Text: mrdiscen@discover.com Jul 07 2017 23:30:00 Discover Financial, Po Box 3025,
 New Albany, OH 43054-3025
 516833211 E-mail/PDF: resurgentbknofications@resurgent.com Jul 07 2017 23:21:38
 LVNV Funding, LLC its successors and assigns as, assignee of FNBM, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 516881344 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 07 2017 23:27:09
 Portfolio Recovery Associates, LLC, c/o Old Navy, POB 41067, Norfolk VA 23541
 516863599 +E-mail/PDF: resurgentbknofications@resurgent.com Jul 07 2017 23:21:30
 PYOD, LLC its successors and assigns as assignee, of FNBM, LLC, Resurgent Capital Services,
 PO Box 19008, Greenville, SC 29602-9008
 516707387 +E-mail/PDF: gecsed@recoverycorp.com Jul 07 2017 23:21:35 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 10

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516705198* +Amex, Correspondence, Po Box 981540, El Paso, TX 79998-1540
 516705206* +Garden Savings F.c.u., 129 Littleton Rd, Parsippany, NJ 07054-1897
 516705207* +Garden Savings F.c.u., 129 Littleton Rd, Parsippany, NJ 07054-1897

TOTALS: 0, * 3, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 34

Date Rcvd: Jul 07, 2017

***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 09, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 6, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation
dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Francis P. Cullari on behalf of Joint Debtor Lydia Mohr cullari@comcast.net
Francis P. Cullari on behalf of Debtor Jason R Mohr cullari@comcast.net
Jeanette F. Frankenberg on behalf of Creditor Cenlar FSB as servicing agent for Police and
Firemens Retirement System Board of Trustees by its Administrative Agent New Jersey Housing and
Mortgage Finance Agency cmecf@sternlav.com
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6